

EXHIBIT 24

THE HONORABLE THOMAS S. ZILLY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

HUNTERS CAPITAL, LLC, et al.,

Plaintiffs,

v.

CITY OF SEATTLE,

Defendant.

Case No. 20-cv-00983

PLAINTIFF HUNTERS CAPITAL, LLC'S
ANSWERS AND RESPONSES TO
DEFENDANT CITY OF SEATTLE'S
FIRST DISCOVERY REQUESTS

Pursuant to Rules 26, 33, and 34 of the Federal Rules of Civil Procedure, Plaintiff Hunters Capital, LLC ("Hunters Capital" or "Plaintiff") hereby responds and objects to Defendant City of Seattle's ("Defendant" or the "City") First Discovery Requests containing Defendant's first sets of Interrogatories and Requests for Production. No admissions of any nature whatsoever are implied or should be inferred from the answers, responses, and objections set forth below. Plaintiff has answered these requests based on its current knowledge and understanding with respect to the matters addressed. Discovery in this action is on-going. Plaintiff reserves its right to alter, supplement, modify, or otherwise amend its responses as necessary or appropriate.

PLAINTIFF HUNTERS CAPITAL, LLC'S
ANSWERS AND RESPONSES TO DEFENDANT
CITY OF SEATTLE'S FIRST DISCOVERY
REQUESTS

Case No. 20-cv-00983 - 1

LAW OFFICES
CALFO EAKES LLP
1301 SECOND AVENUE, SUITE 2800
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TEL, (206) 407-2200 FAX, (206) 407-2224

RESPONSE:

Plaintiff objects to this request as vague, ambiguous, overly broad, unduly burdensome, and duplicative. Without waiving any objection, and subject to continuing investigation, Plaintiff will conduct a reasonable search for documents relevant to the claims and defenses in this case and will produce responsive, non-privileged documents, if any, within a reasonable time, on a rolling basis.

REQUEST FOR PRODUCTION NO. 12:

Please produce all documents supporting your allegation that the City adopted a policy supporting the CHOP occupation.

RESPONSE:

Plaintiff objects to this request as vague, ambiguous, overly broad, unduly burdensome, and duplicative. The term “policy” is undefined. Plaintiff further objects to this request to the extent it seeks documents already in the possession of, or otherwise available to, the City or documents that are publicly available or equally available to the City, including as matter of public record. Discovery in this matter is ongoing and Plaintiff anticipates that most documents responsive to this request are in possession of the City, in addition to documents publicly available.

Without waiving any objection, and subject to continuing investigation, Plaintiff will conduct a reasonable search for documents relevant to the claims and defenses in this case and will produce responsive, non-privileged documents, if any, within a reasonable time, on a rolling basis.

REQUEST FOR PRODUCTION NO. 13:

Please produce all documents relating to any damages you contend were suffered by any member of the proposed class a result of the CHOP activities alleged in the complaint.

RESPONSE:

Plaintiff objects to this request as vague, ambiguous, overly broad, unduly burdensome, and duplicative. Plaintiff further objects to this request in so far as it calls for production of

documents not in Plaintiff's possession or documents that are otherwise publicly available and equally available to the City. Without waiving any objection, and subject to continuing investigation, Plaintiff will conduct a reasonable search for documents relevant to the claims and defenses in this case and will produce responsive, non-privileged documents, if any, within a reasonable time, on a rolling basis.

REQUEST FOR PRODUCTION NO. 14:

Please produce all documents reflecting any time you claim that a customer or other business contact was unable to access your property as a result of the CHOP activities alleged in the complaint.

RESPONSE:

Plaintiff objects to this request as vague, ambiguous, overly broad, unduly burdensome, and duplicative. The terms "customer" and "other business contact" are not defined. Without waiving any objection, and subject to continuing investigation, Plaintiff will conduct a reasonable search for documents relevant to the claims and defenses in this case and will produce responsive, non-privileged documents, if any, within a reasonable time, on a rolling basis.

REQUEST FOR PRODUCTION NO. 15:

To the extent you claim to have suffered emotional distress as a result of the CHOP activities alleged in the complaint, please produce all documents relating to your suffering, including without limitation any medical or counseling documents (e.g., treatment records, diagnoses) dating from May 1, 2019, to present day.

RESPONSE:

Plaintiff objects to this request as vague, ambiguous, overly broad, and unduly burdensome. Plaintiff is a business entity and, as such, does not claim emotional distress for itself. However, other plaintiffs in this action do claim emotional distress and can respond for themselves.

1 track your business transactions on a daily basis from May 1, 2019, to present day.

2 **RESPONSE:**

3 Plaintiff objects to this request as vague, ambiguous, overly broad, unduly burdensome,
4 and duplicative. The terms “general ledger” and “accounting records” are undefined and overly
5 broad and, as such, seeks documents that are not relevant to the claims and defenses at issue and
6 proportional to the needs of the case.

7 Without waiving any objection, Plaintiff is willing to confer with the City regarding a
8 limited request for financial records relevant to the claims and defenses at issue and in proportion
9 to the needs of the case.

10 **REQUEST FOR PRODUCTION NO. 26:**

11 Please produce all documents concerning tenant complaints, including without limitation
12 requests for rent abatements or credits, from February 1, 2020, to present day.

13 **RESPONSE:**

14 Plaintiff objects to this request as vague, ambiguous, overly broad, unduly burdensome,
15 and duplicative. As written, this request seeks irrelevant information and potentially relates to any
16 complaints outside of the geographic area or timeframe at issue in this case and are therefore
17 unrelated to the claims and defenses at issue as well as an immense burden and far out of proportion
18 to the needs of the case.

19 Without waiving any objection, and subject to continuing investigation, Plaintiff will
20 conduct a reasonable search for documents relevant to the claims and defenses in this case,
21 including any tenant complaints related to the CHOP or that occurred in buildings affected by the
22 CHOP occupation for the time period requested, and will produce any responsive, non-privileged
23 documents, if any, within a reasonable time, on a rolling basis.

24 **REQUEST FOR PRODUCTION NO. 27:**

25 Please produce all documents reflecting any efforts you took between February 2020 and

1 and duplicative. As written, this request seeks irrelevant information and potentially relates to all
2 of Plaintiff's business outside of the geographic area or timeframe at issue in this case. This request
3 is therefore unrelated to the claims and defenses at issue as well as an immense burden and far out
4 of proportion to the needs of the case.

5 Without waiving any objection, and subject to continuing investigation, Plaintiff will
6 conduct a reasonable search for documents relevant to the claims and defenses in this case,
7 including tenant occupancy information for buildings in or near the CHOP or for buildings affected
8 by the CHOP for the time period requested, and will produce any responsive, non-privileged
9 documents, if any, within a reasonable time, on a rolling basis.

10
11 DATED this 15th day of January, 2021.

12 By /s/ Patty A. Eakes

13 Patricia A. Eakes, WSBA #18888
14 Angelo J. Calfo, WSBA #27079
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Attorneys for Plaintiffs

1 RESPONSES dated this 12th day of January, 2021.

2 HUNTERS CAPITAL, LLC

3 By: _____

4 Its: _____

5
6 **VERIFICATION**

7 STATE OF WASHINGTON)

8) ss.

9 COUNTY OF KING)

10 _____, being duly sworn, on oath says:

11 That he/she is the _____ of HUNTERS CAPITAL, LLC; that he/she has read
12 the answers and responses to CITY OF SEATTLE'S FIRST DISCOVERY REQUESTS TO
13 PLAINTIFF HUNTERS CAPITAL, LLC, knows the contents thereof and believes the same to be
14 true and correct.

15
16 SUBSCRIBED AND SWORN TO before me this _____ day of _____,
17 2021.

18 [PRINT NAME] _____
19 NOTARY PUBLIC in and for the State of Washington,
20 residing at _____
21 My appointment expires: _____
22
23
24
25

PLAINTIFF HUNTERS CAPITAL, LLC'S
ANSWERS AND RESPONSES TO DEFENDANT
CITY OF SEATTLE'S FIRST DISCOVERY
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